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Jackson Lewis P.C.
666 Third Avenue
New York, New York 10017
Tel 212 545-4000
Fax 212 972-3213
www.jacksonlewis.com

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1/23/20
HON. ALISON J. NATHAN
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DIRECT DIAL: (212) 545-4021
EMAIL ADDRESS: JASON.ZOLDESSY@JACKSONLEWIS.COM

JAN 24 2020

January 17, 2020

VIA ECF

Hon. Alison J. Nathan, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

The deadline to complete fact discovery in this matter is hereby extended to April 30, 2020. No further extensions of discovery-related deadlines will be granted in this matter.

The status conference scheduled for February 14, 2020 is hereby adjourned to May 15, 2020 at 3:45 P.M.

Re: *Reyes et al v. Central Park Boathouse, LLC et al*
Case No. 18 Civ. 11900 (AJN)

Dear Judge Nathan:

We represent Defendants Central Park Boathouse, LLC d/b/a The Loeb Boathouse Central Park ("The Boathouse"), sued incorrectly herein as "Central Park Boathouse, LLC (d/b/a The Loeb Boathouse)," Dean Poll, and Michael Amore, and submit this letter jointly with counsel for Defendant Romeo Quiambao (sued incorrectly herein as "Ronny Doe") and counsel for Plaintiff.

The Parties write to respectfully request that the deadline to complete fact discovery be extended from January 27, 2020 to and including April 30, 2020. This is the Parties' second request for an extension of this deadline. Your Honor granted the Parties' first request.

The Parties make this request for the following reasons:

1. Prior to the settlement conference the Parties attended on December 17, 2019 – which was the earliest date all requisite participants were available – they focused their resources on resolving the case at that conference.
2. Despite their diligent efforts, Defendants have not yet obtained Plaintiff's medical records, which they need in advance of Plaintiff's deposition. Defendants have twice submitted HIPAA authorizations to Plaintiff's identified health care provider, but in each instance the provider declined to

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disclose Plaintiff's records, providing different rationales for its decision on each occasion. Defendants requested that Plaintiff provide an updated authorization, complying with his provider's rigid requirements, and received that updated authorization on January 16, 2020.

3. The conflicting commitments of three sets of attorneys – counsel for Defendants The Boathouse, Poll, and Amore; counsel for Defendant Quiambao; and counsel for Plaintiff –, as well as those of Plaintiff and three Individual Defendants, has delayed the taking of depositions. The Parties are actively working to schedule five (5) depositions, and anticipate finalizing that schedule shortly.

Because the Parties' requested extension affects other scheduled dates, attached is a proposed Revised Scheduling Order. In light of their request to extend the discovery end date, the Parties respectfully request that the Status Conference scheduled for February 14, 2020 at 3:45 PM be adjourned, and propose the following alternative dates: May 1, May 15, or May 22, 2020.

We thank the Court for its consideration in this regard.

Respectfully submitted,

JACKSON LEWIS P.C.



Jason A. Zolnessy

cc: All Counsel (Via ECF)